

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

Case No: 19-CR-1614 JB

MATEO MAESTAS,  
Defendant.

**ORDER CONTINUING SENTENCING HEARING**

THIS MATTER comes before the Court on the Defendant's Motion to Continue the Sentencing Hearing set for December 3, 2019 for forty-five (45) days, and to continue all associated deadlines (Doc. 36). The Court, being fully advised of the circumstances, finds that the parties require additional time for disclosure of the Pre-Sentence Report (PSR) and Counsel for the Defendant requires an additional amount of time in order to review the PSR, evaluate the need for objections, to file a sentencing memorandum and prepare for sentencing. The United States is not opposed to this continuance. The Court further finds that granting a continuance to resolve these issues outweighs the public and Defendant's interest in a speedy trial pursuant to 18 U.S.C. §3161.

After weighing the best interests of the public and the defendant with the ends of justice, the Court finds that granting the continuance will strike the proper balance between the ends of justice and the best interests of the public and the Defendant for the reasons stated in the motion requesting this continuance filed November 6, 2019 (Doc. 36). Specifically, the need to disclose and review the PSR, the need to file any objections to the PSR, if any, and the need to file sentencing pleadings, outweighs the Defendant's and the public's interest in a speedy trial. See 18 U.S.C. §3161(h)(7).

**IT IS THEREFORE ORDERED** that the Motion to Continue is granted.

1. The Sentencing Hearing is scheduled for January 17, 2020, at 8:30 a.m. *jw*
2. All associated deadlines are extended accordingly.
3. A forty-five (45) day continuance is sufficient without being greater than necessary for the Defendant to complete the tasks set forth in his motion to continue. The time between December 3, 2019 and January 17, 2020 is excluded for purposes of the Speedy Trial Act, 18 U.S.C. § 3161 (h)(7)(A).



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UNITED STATES DISTRICT JUDGE

Submitted and approved by:

/s/ \_\_\_\_\_

Ahmad Assed, Esq.  
Law Office Ahmad Assed & Associates  
Attorney for Mateo Maestas

Approved 11/6/2019 \_\_\_\_\_

Nicholas Marshall  
Assistant United States Attorney